PETIT
FOR WR
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Supreme Court, U.S.
FILED
MAY 24 1993
OFFICE OF THE CLERK

92-1973
NO.

IN THE
SUPREME COURT OF THE UNITED STATES
October Term, 1992

EARLENE POLYAK — Petitioner

v

WILLIAM BOSTON AND
BOSTON BATES & HOLT
et.al., — Respondents

PETITION FOR WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
AND THE UNITED STATES DISTRICT COURT
FOR THE ELEVENTH CIRCUIT

EARLENE POLYAK
3179 middlefield Drive
Michigan 48183
(313) 676-3364

64 pp

QUESTIONS PRESENTED

1. Is the right to sue provided in new legislation to strengthen civil rights in amended Civil Rights Act of 1964,in Title VI VII under which the Equal Employment Opportunity, and the Agricultural Adjustment Act of 1938,prohibiting the discrimination against disability,sex,age, race and national origin,as amended in Public Law 102-166, and 42 U.S.C. 1981,protection from intentional discrimination against federal rights for the disabled landowner too?

2.Is the right of "(a)" party to sue for compensatory and punitive damages for intentional discrimination against federal rights provided in Public Law 102, extended to the pro se litigant, and is the denial of Oral Argument protected by the Constitution?

3.Is the intentional disregard for intentional discrimination against federal rights denial of due process,and the accepted and usual course of judicial proceeding?

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IN THE
SUPREME COURT OF THE UNITED STATES
October Term, 1992

EARLENE POLYAK — Petitioner

v

WILLIAM BOSTON AND
BOSTON BATES & HOLT
et.al., — Respondents

PETITION FOR WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
AND THE UNITED STATES DISTRICT
FOR THE ELEVENTH CIRCUIT

Petitioner prays that a writ of certiorari issue to review the opinions of the Eleventh Circuit pursuant to the Civil Rights Act of 1964 as amended in Public Law 102-166 on November 21, 1991.

Parties:William Boston and Boston Bates & Holt,Robert Boston and Waller Lansden Dortch & Davis, Thomas Stack and Henry Henry & Stack, Buford Evans & Sons,Frank Hulen and Wilma Lesnansky,Jim amilton,Virginia Frisbee, Gerald Wilson and Chancery and Circuit Courts of Lawrence County,Lawrence County Advocate,Charles Brunson,Attorney General of Tennessee,Jeff Beecham, Jeff Hudson,Bobby Tidwell,Edward Madigan and the United States Department of Agriculture, Karin Wherry and Dexter Lehtinem,Joe Brown and Richard Thornburgh, United States Attorneys.

Case Appeal No. 92-4465(District Court No. 92-8112 CIV-ZLOCH) on appeal from the United States District Court for the Southern District of Florida.

Case Writ of Mandamus No. 92-4939 to forward recordsfor appeal No. 92-4465(District Court No. 92-8112 CIV-ZLOCH).

Companion cases: Appeal No. 90-5030 (District court No.89-8414 CIV-PAINE)Earlene Polyak v William Boston and Boston Bates & Holt petitioned to transfer from United States District Court of Middle District of Tennessee No.86-0036).

And appeal NO.90-5305 Earlene Polyak v United States District Court of Middle District of Tennessee (District Court no. 89-8160 CIV-PAINE.

OPINIONS BELOW

The opinions of the United States District Court of appeals for the Southern District of Florida are set forth in Appendiz A. The opinions for the united States District Court are set forth in Appendiz B, and any related opinions are set forth in Appendix C.

JURISDICTION

The jurisdiction of this Supreme Court is invoked in the denial of petition for rehearing of 92-4465 was denied on February 24, 1993, and petition for writ of certiorari is timely within

ninety days thereof.

A petition for recall and stay of mandate granted on April 8, 1993.

The jurisdiction of Court is invoked in Article III Sec. 2, which states that the judicial power shall extend to all cases of law and equity; be; between citizens of different states

The jurisdiction of this Court is invoked in the Civil Righ Act of 1964,Title VI VIi,under which the Equal Employment opportunity ,and the Agricultural Adjustment of 1938 prohibits discrimination against disability, sex, age, race, and national origin, as amended in Public Law 102-166, to strengthen the civil rights, and 46 U.S.C. 1981 in the right of "(a)" party to sue.This jruisdiction is furtherinvoked in 28 U.S.C. 1443;2403; 42 U.S.C. 1981,1982,1983,and the Fifth Seventh and Fourteenth Amendments.

The federal civil and constitutional questions against intentional discrimination against federal rights have been timely raised in cases.

CONSTITUTIONAL PROVISIONS

The pertinent portion of the Fifth Amendment provides as follows.

> No person...shall be deprived of life, liberty, or property without due process of law; nor shall private property be taken for public use, without just compensation.

U.S. Const.Amen v Cl 3&4.

The pertinent portion of the Seventh Amendment provided;

> ...where the valus in controversy shall exceed twenty dollars, the right of a jury trial shall be preserved.

U.S. Const. Amen,VII.

The pertinent portion of the Fourteenth Amendment provides:

> No state shall make or enforce any laws which shall abridge the priveleges or immunities of citizens of the united States,nor shall any state deprive any person of life liberty, or property without due process of law.

U.S. Const. Amen. XIV.

28 U.S.C. 1443;Any of the following commenced in a state court may be removed by defendant to a district court.

> (1) Against any person who is denied or cannot enforce in the courts of such state a law providing for the equal civil rights of a citizen of the united States.
>
> (2) For any Act under the color of

authority deprived from any law providing for equal rights.

28 U.S.C. 1981;

All"(a)" person within the jurisdiction of the United States shall have the same right " to sue"...to the full and equal benefit of all laws.

28 U.S.C. 1982:

All persons of the united States shall have the same right in every state...to inherit purchase lease and convey real and personal property.

28 U.S.C. 1983:

Every person, who under the color of any statute, ordinance, regulation, custon,or usuage of any state...subject or cause to be subjected any citizen of the united States or person within its jurisdiction thereto the deprivation of rights and priveleges secured by the constitution and laws shall be liable at law and equity or some other proceeding for rhe parties.

U.S.C. 2403;

In any action...where the constitutionality of a statute affecting Public Interest drawn into question.

PUBLIC LAW 102-166 signed November 21, 1991.

...to amend the Civil Rights Act of 1964 to strengthen and improve federal civil right laws, to prohibit intentional disemployment discrimination, to clarify provisions regarding disparate impact actions, and for other pruposes.

STATEMENT OF THE CASE

Petitioner prays that a writ of certiorari issue from this Supreme Court to review the abuse of discretion and conflict of interest from the accepted and usual course of due process of judicial proceedings in denial of federal right to equal employment pursuant to amended Civil Rights Act in Public Law 102-166, on November 21, 1991.

Petitioner seeks review of departure from due process in judicial proceedings in Appeal No. 92-4465 CIV-Zloch in conflict with prior ruling,and disregared for federal statute 28 U.S.C 1651(a) by the United States Court of Appeals in sanction for the denial of due process in Writ Mandamus No.92-4939 to the United States District Court in No. 91-8112,in the Southern District of Florida.

Petitioner does not have any knowledge or expertise in the legal profession, but she believes that the Courts were created for the relief of the people.

The Civil Rights Act of 1964,Title VI VII under which the Equal Employment Opportunity,and Agricultural Adjustment Act of 1938, prohibits discrimination against disability, age, sex,race, and national origin,as amended in Public Law 102-166 to strengthen civil rights and 42 U.S.C. 1981 in the right of "(a)" party to sue.

Public law 102 provides for compensatory and punitive damages for intentional discrimination against federal rights.

A review of the above cases to the best of Petitioner's knowledge and belief reveals that Complaint and Demand for Jury Trial for relief from intentional discrimination against federal right to United States Department of Agriculture federally alloted burley tobacco quota to landowner filed in the nited States District Court No. 91-8112 CIV-ZLOCH on March 20, 1991(App.Bp17).

The Complaint No. 91-8112 CIV-ZLOCH was assigned to Magistrate without Petitioner's consent pursuant to 28 U.S.C. 636(c)(1).

Complaint No. 91-8112 was dismissed

in Final Order of Dismissal on April 24,1992 (App.B.p.19).

When Petitioner did not receive required Appeal Information Order Form,she called the Court followed with a Request to send Transcript form for No. 92-4465(App. Bp. 14).

On July 10, 1992, a notice dated June 4, 1992 signed by Miguel Cortez to complete form within fourteen days to Margaret MacDonald and transcript timely submitted B.p. 14).

On August 7, 1992 A Grievance and Request for Status Report was submitted to Chief Judge for delayed scheduling of briefing No. 92-4465.

After continued delay in briefing on September 16, 1992 Petition for Writ of Mandamus No. 92-4939 to the Honorable William J. Zloch to forward records and send copy of docket sheet with one hundred ($100.00) docket fee(App.Ap10).

On October 7,1992Petition for Writ of Mandamus returned for one hundred ($100.00) Certificate of Interested parties,which was timely resubmitted to court of Appeals.

On October 8, 1992,the $100.00 docket fee returned to petitioner attached to Second Grievance to Chief Judge(App.A.p. 15)

On October 14, 1992 Petition for Writ of Mandamus returned with $100.00, and Certificate of interested parties for the third time to the Court of Appeals No. 92-4939 (App. Ap. 14).

On October 5, 1992, Petitioner responded to Jurisdictional Inquiry wirh Certificate of Interested Parties with Certificate of Service to Mr. T.G.Cleotis 299 E. Broward,Ft Lauderdale Florida 33301;Mr. Robert Martinez,U.S. Attorney 155 S. Miami, Miami, Florida 33130; Mr. Arnold T.Atkins Ass. U.S. Attorney 155 S. Miami, Miami, Florida33130,Mr. Robert Boston 2100 One Commerce Place Nashville, Tennessee 37219,and Mr. Samuel Warner 119 S. 1St.Pulaski, Tennessee 38478 in Case No. 92-4465.But She did not receive return responses from above parties(AppA.p.12).

On January 13, 1993 92-4939 denied and Petition for Rehearing Writ denied March 15, 1993(AppA.p.8).

REASONS WHY WRIT SHOULD ISSUE

The reason why this writ of certiorari should issue is that it will be an aid to this Supreme Court in reviewing tha abuse of discretion and conflict of interest to accepted and usual judicial proceeding in due process, in denial right of "(a)" party to sue for compensatiory and punitive damages for federal right to equal employment opportunity,pursuant to new legislation in Public Law 102-166 passesed on November 21, 1991.

Petitioner contends that this new legislslation applies to equal employment opportunity to the disabled land owner under the Civil Rights Act of 1964, Title VI VII, under which the Equal Employment Opportunity commission and Agricultural Adjustment Act of 1938 prohibits discrimination against disability, age, sex, race, and national origin, and as amended in Public Law 102-166 to strengthen civil rights and 42 U.S.C. 1981 in the right of "(a)" party to sue.

Petitioner contends that the Court of Appeals

affirms the denial of due process of right to sue for relief in compensatory and punitive damages for loss of equal employment in intentional discrimination against federal rights to United States Department of Agriculture federally alloted burley tobacco after false statement from Jeff Beecham,Agriculture Stablization and Conservation Service was served within the jurisdiction of the United States District Court, Southern District of Florida, 4063 Hood Road Palm Beach Gardens,Fl.

1. THE UNITED STATES COURT OF APPEALS FAILS TO TAKE JURISDICTION UNDER EXCEPTIONAL CIRCUMSTANCES AFTER ADEQUATE RELIEF CANNOT BE OBTAINED PURSUANT TO 28 U.S.C. 1651(a).

The United States Court of appeals fails to take jurisdiction under exceptional circumstances after adequate relief cannot be obtained in the United States Courts of the Sixth Circuit,briefs submitted to the Supreme Court,or attempt to remove Earlene Polyak v William Boston and Boston Bates & Holt after clear and GOOD CAUSE appearing subject to Local Rule Polyak vBoston et al., 89-8414 Rottger,

and pursuant to 28 U.S.C. 1404(a).

> in the interest of justice a district court may transfer action to any other district court or dividion where it might have been brought. However, a discretionary transfer of venue will not be granted absent a clear cut and convincing showing that the balance of convience weights strongly in favor of the tranfree court.See Star Lines v Puertico Marine shipping Authority, 442 FSupp. 1201(D.C.) N.Y. 1978).

All Complaints and Demand for Jury Trial for relief for intentional discrimination against pro se right to sue were dismissed except,partial hearing in directed verdict, in the United States District Court Middle District of Tennessee in docket control on the Honorable Thomas A. Wiseman's order on November 13, 1985.Judge stated in a letter to John P. Hehman,Clerk Sixth Circuit on April 30, 1986,"that order was entered because of Mrs Polyak's filing against the various persons in this court...she should be severly sanctioned therefor...."

All appeals have been dismissed or affirmed dismissal without oral argument in docket control in the Sixth Circuit.The amended Complaint 4465 added 91-8160 CIV-PAINE Polyak v M'd District

Court,Sixth ircuit on Mr. Jay Kolman's Motion which verifies the bias of the U.S. Attorney's after submitting exact copies of Robert Boston's misrepresented materials in the Sixth Circuit by Ms.Karin Wherry Ass. U.S. Attorny to Eleventh Circuit,which is verified in service to Robert Boston,but withheld from other attorneys named in 89-8160.

The U.S. Attorney's must have taken an oath uphold the constitution of the United States and this misrepresentation should be grounds to dismiss all prior Sixth and Eleventh Circuit orders pursuant to Rule 60.02fraud(whether intrinsic or extrinsic) and misrepresentation by adverse parties Federal Rules of Civil Procedure.

The Court of Appeals for the Eleventh Circuit failed to take jurisdiction in abuse of discretion in 92-4465 after District Court delayed records and copies of docket-sheet in delayed appel briefing pursuant to Petition for Writ of Mandamus 92-4939 submitted before any action in 92-4465, but writ and first action in 92-4465 filed on the same day May 16, 1992.

The Court failed to take jurisdiction in 92-4465 after Writ of Mandamus No. 92-4939 pursuant to 28 U.S.C. 1651(a).This delayed action under in jurisdictional questions to parties in 92-4465.This delayed action in questions to parties in conflict with power of Writ of Mandamus."The proceeding shall be given precedent over ordinary civil cases. TITLE V EXTRAORDINARY WRITS FRcivP.

The court of Appeals failed to take action in extraordinary situation in the intentional discrimination against federal rights for disabled person residing within jurisdiction of the U.S. District Court under Fifth and Fourteenth Amendments"action which will affect interest in life, liberty and property protected by due process clause of the fourteenth Amendment. Mullins v Hanover Bank,339 US 306 314.

The Court of Appeals failed to take jurisdiction over District Court in extraordinary situation for equitable remedies in diversity.

Erie Railroad v Thompkin requires

federal court to give some equitable remedies in diversity case. The only qualification is that federal Court have power to grant relief. Erie Railroad v Thompkin, Moores K.F. 8716.5 M 663.

The federal courts have original jurisdiction in action involving land, Massey v Watts 10 U.S. 620; McDonald v Smally, 26 U.S. 620; Holland v Challen, 110 U.S. 15, and action for partition of real property, Beebe v Louisville N.O.&. T.R. CO. 39F 481.

2. THE COURT OF APPEALS FAILURE TO TAK JURISDICTION OVER DISTRICT COURT IS IN CONFLICT WITH PREVIOUS RULING AND SIXTH CIRCUIT FEDERAL COURT

The Court of Appeals for the Eleventh Circuit failure to take jurisdiction of 92-4465 is in conflict with a rpevious ruling and in conflict with another federal court.

On April 18, 1991, the Court of Appeals took jurisdiction in 90-5030(89-8414 CIV-PAINE " Appellant's Application for Permission to Appeal and Closing of Case and Denial of Oral Argument dated November 3, 1989 may be construed as a timely notice of Appeal in this action." See United States v Rogers 788 F 2d

The denial to transfer case from the Sixth Circuit arlready granted GOOD CAUSE by the Honorable Norman C Roetgger on September 29, 1989.

But the Court of Appeals disregards same extraordinary situation in abuse of discretion by the final order in 92-4465.

After it was evident that District Court did not intend to act on Objections to Dismissal and Request for oral Argument, Appellant submitted a Notice of Appeal.

The District Court has not to this date responded to Objections to dismissal and Objections to Dismissal and Request for Oral Argument but Court of Appeals has failed to act on Writ of Mandamus to use power to correct appeal,which takes precedent over ordinary civil cases.

The Failure of the Seventh Circuit to act in extraordinary situation when District Court denied due process of appeal is in conflict with the ruling of the Sixth Circuit in Earlene Polyak v Henry Henry & Stack No. 89-5199 on January 5, 1987(DC1.25..C115).

> The defendants argue that the district court order was one denying a temporary restraining order which except in extraordinary circumstances,cannot be appealed either 28 U.S.C.1291 or 1292(a)(1) See Petraco valley Oil Refining Co. v United States Department Energy 633 F 2d 164 199(T.E.C.A.(1980).The district court however, construed the order as amotion for either a temporary restraining order or a preliminary injunction.Given Pro se status of the pendencey of the action...This Court therefore har jurisdiction to review that order under 28 U.S.C. 1292(a)(1).

Petitioner contends that the Court of Appeals failed to take jurisdiction when District Court has jurisdiction in that case involves federal question in the intentional discrimination against federal right to, the amount of controversity for compensatory and punitive relief is over tenn thousand dollars, diversity of citizenship and the extraordinary situation in which Appellants disability requires Fifth and Fourteenth Amendment Protection of due process of life, liberty and property.

Fla Statutes 48.193 states that a person may be subjected to jurisdiction if he does any of the following acts...causes injury to a person or property located within the state

arising out of an act or omission by defendant outside the state.

In addition venue refers to the place where an action may be tried with proper subject matter and personal jurisdiction. Appellant believes all parties are subject to federal jurisdiction and injury to Plaintiff under 28 U.S.C. 1391(e)(4) the plaintiff residesRule 4(f) Fed R. Civ.P."The Court may consider the affidavit,or other competent evidence, indetermnining whether service has been properly made.

3. THE COURT OF APPEALS TO DENIES RELIEF FOR IRREPARABLE DAMAGE IN CAUSE INVOLVING CONTINUING WRONG PROVIDED IN RULE 26 EXCEPTIONS TO RES JUDICATA AND COLLATERAL ESTOPEL FRcivP

The Court of appeals denied relief for irreparable damage for intentional discrimination against federal rights in which Appeliant has never had the opportunity to litigate issues as all complaints dismissed in District Court, all appeals denied or affirmed dismissals in the Court of Appeals, and Appellant is unaware of the Supreme Court hearing pro se cause.

Petitioner contends that all previous orders be set aside pursuant to Rule 60.02 FRcivP, by the Court on its own motion.

In addition, Rule 26 Exceptions to Res Judicata and Collateral Estoppel provides that a part of all claims subsists in basis for second action for the Plaintiff in the following circumstances:

> (d) The judgment in the first action was plainly inconsistent with a fair and equitable implemenation of a statutory scheme.
>
> (e) For reasons of substantive policy in a case involving a continuing wrong,Plaintiff is given the option to sue from time to for damages...

The Court of Appeals disregards intentional discrimination against federal right in cases before the Court. Jeff Beecham ASCS issued untimely delared notification of loss of one thousand nine forty-six (1946) pounds federalloted burley tobacco on June 21, 1990, six(6)days prior to deadline on July 2, 1990. On March 3, 1991 he issued total loss to farm in allotment program since 1938. He issued false statement.

William Boston and Boston Bates & Holt have

heldP. Petitioner land with federal right in probate Court for seventeen(17) in denial of due process and deprivation of civil and constitutional laws and rights.

> Property interest subject to procedural due process protection are not limited by few rigid technical forms, rather, property" denotes broad range of interests that are secured by existing rules and understanding Perry v Sindermann (1972) 408 US 593 92 S Ct 2694 33L Ed ed 570

Appellant's civil and cosntitutional right in USDA program crops have been sold and transferred without jury trial, without any compens.. tion,without notification of time of sale,with notification of place of sale, with notification of amount of proceeds and without entering order for right of redemption, and right of appeal FRcivP.

CONCLUSION

Petitioner prays that a writ of certiorari issue from this Supreme Court to review the intentional disregard for intentional discrimination against federal right pursuant to new legislation in Public Law 102-166 for the right of "(a)" party to sue for compensatory

and punitive relief as set forth in the initial Complaints and Demand for Jury Trial in all of the cases.

On the 20th day of May, 1993.

Respectfully submitted,

Earlene Polyak
3179 Middlefield Drive
Trenton, Michigan 48183
(313) 676-3364

Certificate of Service

I certify that a true copy of this pleading has been mailed to the Solicitor General,Washington, District of Columbia 20530 20530,Jay Kolman 155 Miami Ave,Miami, florida 33 33o3, Samuel Warner, 119 s, 1St. Pulaksi, Tennessee,Robert Boston 2100 One Commerce Place, Nashville, Tenneasee, and The Honorable Charles Brunson, Nashville, Tennesse 37219.

Earlene Polyak

STATE OF FLORIDA
COUNTY OF PALM Beach _____
Earlene Polyak

_____
Notary Public

My Com'n expires:_____

APPENDIX A

In the United States Court of Appeals for the Southern District of Florida.

Earlene Polyak v William Boston et al., Appeal No. 92-4465.

Denied: Petition for Rehearing on February 24, 1993.

Denied: Appeal on December 17, 1992.

Before: Tjoflat,Chief Judge, Edmondson and Carnes, Circuit Judges.

Earlene Polyak v United States District Court, Writ of Mandamus No.92-4939.

Denied: Petition for Rehearing on March 15, 1993.

Denied:Writ of Mandamus on January 13,1993.

Before:Keavitch,Cox and Black,Circuit Judges.

UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

FILED FEB 24 1993

No. 92-4465

EARLENE POLYAK

Plaintiff-Appellant,

versus

WILLIAM BOSTON,BOSTON BATES & HOLT, FRANK HULEN. WILMA LESNANSKY, ROBERT BOSTON, WALLER LANSDEN DORTCH & DAVIS,JIM HAMILTON, CHANCERY AND CIRCUIT COURTS,JEFF BEECHAM, United States Department of Agriculture, JOE BROWN, United States Attorney. BUFORD EVANS & SONS,THOMAS STACK, HENRY HENRY & STACK, GERALD WILSON,Clerk of Circuit Court of lawrence County,BOBBY TIDWELL, United States Department of Agriculture,RICHARD THORNBURGH,EDWARD MADIGAN,CHARLES BRUNSON, JEFF HUDSON, DE TER LEIGHTINEM, KARIN WHERRY, THE LAWRENCE COUNTY ADVOCATE,

Defendants-Appellees,

On Appeal from the united States District Court for the Southern District of Florida

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ON PETITION (S) FOR REHEARING AND SUGGESTION(s) OF REHEARING REHEARING EN BANC

Before; TJOFLAT,Chief Judge,EDMONDSON and CANES, Circuit Judges.

PER CURIUM:

(✓)The petition(s) for Rehearing are DENIED

and no member of of this panel nor other Judges in regular active service on the Court haVING REQUESTED REQUESTED THAT THE Court be polled on rehearing en banc 9(Rule 35,Federal Rules of .Federal procedure; Eleventh Circuit Rule 35-5), the Suggestion(s) of Rehearing En Banc are also DENIED.

( )A member ot the Court of active service having requested a poll on the reconsideration of this cause en banc, and a majority of the judges in active service not having voted in favor of it, rehearing En Banc id DENIED.

ENTERED BY ORDER OF THE COURT:

Signed GEARLD TJOFLAT
UNITED STATES CIRCUIT JUDGE

ORD-42
(9/91)

UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

NO. 92-4465

FILED DEC 17 1992

EARLENE POLYAK Plaintiff-Appellees

versus

WILLIAM BOSTON,BOSTON BATES & HOLT FRANK HULEN, WILMA LESNANSKY, ROBERT BOSTON,WALLER LANSDEN DORTCH & DAVIS, JIM HAMILTON,CHANCERY AND CIRCUIT COURTS, JEFF BEECHAM,United States Department of Agriculture, JOE BROWN,United StatesAttorney,BUFORD EVANS & SONS,THOMAS STACK,HENRY HENRY & STACK,GERALD WILSON,Clerk of Circuit Court of lawrence county,BOBBY TIDWELL United States Department of Agriculture, RICHARD THORNBURGH,EDWARD MADIGAN,CHARLES BRUNSON, JEFF HUDSON,DEXTER LEHTINEN,KARIN WHERRY, LAWRENCE COUNTY ADVOCATE,

Defendant-Appellees

Appeal from the United States District Court for the Southern District of Florida

Before: TJOFLAT,Chief Judge, EDMONDSON and and CARNES, Circuit Judges.

BY THE COURT:

This appeal is dismissed for lack of jurisdiction.Appellant's Objections to Dismissal and Request for Oral Argument sought substantive reconsiderations by the district court of its

final order of dismissal and, as such,should be construed as a Fed.R.Cic.P.(59(E) motion to alter or amend.See **United States v Eastern Air lines Inc.**,792 F 2d 1560 1562(11th cir 1986). Since this notice of appeal was filed prior to disposition of appellant's objections, it is premature and ineffective.FEd.R.App.4(a) Stallworth v Shuler, 758 F 2d 14910(11th Cir 1985).Appellant may seek review of the district court's dismissal fo her case after the district court rules on her objections.

UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

FILED APR 8 1993

No. 92-4465

EARLENE POLYAK

Plaintiff-Appellant

versus

WILLIAM BOSTON, BOSTON BATES & HOLT, FRANK HULEN,WILMA LESNANSKY, ROBERT BOSTON, WALLER LANSDOWN DORTCH & DAVIS, JIM HAMILTON, CHANCERY AND CIRCUIT COURTS, JEFF BEECHAM, UNITED States Department of Agriculture,JOE BROWN, United States Attorney, BUFORD EVANS & SONS, THOMAS STACK,HENRY HENRY HENRY & STACK,GERALD WILSON,Clerk of Circuit court of lawrence county,BOBBY TIDWELL,United States Department of Agriculture,RICHARD THORNBURGH,EDWARD MADIGAN, CHARLES BRUNSON, JEFF HUDSON, DEXTER LEHTINEN, KARIN WHERRY, THE LAWRENCE COUNTY ADVOCATE,

Defendants-Appellees

On appeal from the united States District Court for the southern District of florida

ORDER:
(XXX) The motion of Appellant for()Stay
(xXX) recall and stay issuance of mandate pending petition for writ of certiorari is denied.

( ) The motion of Appellant for ( ) stay
(XXX)recall and stay of mandate pending

writ of certiorari is GRANTED to and including the stay to continue in force until the final disposition of the case by the Supreme Court,provided that within the perion mentioned above there shall be filed with the Clerk of this Court the certificate of the Clerk of the supreme court that the petition haS BEEN FILED.The clerk shall issue the mandate upon filing filing of a copy of an order of the Supreme Court denying the writ,or upon the expiration of the stay granted herein,unless the above mentioned certificate shall be filed certificate shall filed with the Clerk of this Court within that time.

() The motion of ____for further stay of the issuance of the mandate is granted to and including____ under the same conditions as set forth in the preceeding paragraph.

()It is ordered that the motion of___ for a further stay of the issuance of the mandate is denied.

Signed GERALD BARD TJOFLAT
CHIEF JUDGE

UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 92-4939

FILED MAR 15 1993

IN RE: EARLENE POLYAK

Petitioner

On Appeal from the united States District Court the Southern District of Florida

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ON PETITION FOR REHEARING(S) OF REHEARING EN BANC

Before: PAK/ERC/SHB

PER CURIAM:

(X)The petition(s) for Rehearing are denied and no member of this panel nor other judge in regular active service on the Court having requested that the Court be polled on rehearing en banc9Rule 35),Federal Rules of Appellate proceeding;Eleventh Circuit Rule 35-5), the Suggestion9s) of Rehearing En Banc are denied.

( )The petition(s) for Rehearing are denied and the Court having been polled at the request of one of the members of the Court and a majority of the Circuit court Judges who are in regular active service not having voted in favor of it (Rule 35,Federal Rules of Appellate procedure;Eleventh Circuit Rule 35-50; the Suggestion(s) of Rehearing En Banc are also denied.

( ) A member of the court in active service having requested a poll on the reconsideration of this cause en banc, and a majority of the Judges in active service not having voted in favor of it, Rehearing En banc id denied.

ENTERED FOR THE COURT:

Signed E R COX
UNITED STATES CIRCUIT JUDGE

ORD-42
(9/91)

UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

92-4939

FILED JAN 13 1993

IN RE:

EARLENE POLYAK

Petitioner

On Petition for writ of Mandamus to the United States District court for the Southern District of Florida

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BEFORE: KRAVITCH,COX and BLACK,Circuit Judges.

B Y T H E C O U R T:

The petition for writ of mandamus is denied.

JURISDICTIONAL QUESTION(S)

SEPT 26 1992
CaseNo.92-4465

Whether appellant's Objections to dismiss," filed on the fifth business day following the entry of final judgment should be construed as a Fed.R.Civ.P. 59(e) motion to alter or amend the judgment and, if so, whether the notice of appeal was ineffective Fed. R. App.P.4(a);Griggs v Provident Consumer Discount Co, 459 U.S. 56 61 103 S.Ct 403 74 L Ed 2d 229 1984); United States v Eastern Air Lines Inc. 792 F 2d 1560(11th Cir 1986.

UNITED STATES COURT OF APPEALS
ELEVENTH CIRCUIT
Atlanta, Georgia

December 27, 1992

T.G. Cheleotis
Clerk U.S. District Court
299 E. Broward Blvd.
Ft.Lauderdale florida

RE: Polyak v Boston et al.,
DC DJT NO: 91-08112 CIV-WJZ

The enclosed certified copy of this Court's order dismissing the appeal for lack of jurisdiction is issued in lieu of the mandate.

Please acjnowledge receipt by returning the enclosed copy of this letter.

Sincerely,

Signed Miguel Cortez,Clerk

Reply to;Shelia Brown (404) 331-3833

UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

RE: EARLENE POLYAK
Appellant

FILED OCT 8 1992

TO CHIEF JUDGE

v

No._____
No. 92-4465
D.C. 91-8112 CIV-ZLOCH

WILLIAM BOSTON AND
BOSTON BATES & HOLT

GRIEVANCE TO CHIEF JUDGE
TO FILE WRIT OF MANDAMUS

Appellant submitted Petition for Writ of Mandamus to delay of the United States District Court Southern District of Florida to forward records for notice of appeal.timely filed on May 11, 1992, but delayed filing four(4) days until until May 19,1992,submitted to the District Court in Ft. Lauderdale, with receipt from Miami,Florida.

The Clerks have delayed briefing over four (4) months from receipt of no transcript re-quir on June 19, 1992.in 924465.

Ms.Margaret MacDonald admitted receiving writ of Mandamus and check for one hundred($100) submitted by UPS next day delivery on June 15, 1992 in telephone conservation.

This petition for writ of mandamus takes precedent and it is to be filed and acted upon immediately by the Court of Appeals (28 u.S.C. 1561(a), by the Court of Appeals FRCIVP. Ms MacDonald delays filing petition for writ of Mandamus.Acopy to the District court.

On October 1, 1992.

Respectfully submitted

Earlene Polyak
4063 Hood road
Palm Beach Gardens
Florida 33410
(407) 627-3564

I certify that a true copy of this pleading has been mailed to the District Court,299 E. Browasd,Ft Lauderdale Florida 334301.

APPENDIX B

In the United States District Court,Southern District of Florida No. 92-8112 CIV-ZLOCH

Denied: April 24, 1992.

Before: William J. Zloch

Earlene Polyak v United States District Court Writ of Mandamus No.92-4939 erved on the Homorable William J Zloch to forward records for appeal No. 92-4465(D.C.91-8112.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

No.91-8112 CIV-ZLOCH
JURY TRIAL DEMAND

FILED MAY 19,1992

EARLENE POLYAK
Plaintiff

v

WILLIAM BOSTON AND
BOSTON BATES & HOLT ET AL.,

NOTICE OF APPEAL

Plaintiff gives notice of appeal to the abuse of discretion of federallu protected right of equal employment opportunity for sex race and disabiility pursuant to the Civil rights Act 1964, and as amended in Public Law 102-166 to the United States Court of appeals for the Eleventh circuit.

Plaintiff has been discriminated against in federally protected to United States Department of Agriculture Act of 1938 alloted burley tobacco and other program crops protected by Civil Rights Act 1964 Title VI VII and the right to sue 42 U.S.C. 1981 in that "(a)" person can sue Public Law 102-166.Court delays action on Object

ions and Request for Oral Argument.

On the 11th day of May, 1993.

Respectfully submitted,

Earlene Polyak
4063 Hood road
Palm Beach Gardens
Florida 33410
(407) 627-3564

I certify that a true copy of this notice of appeal has been mailed to Jay Kolan 155 S. Miami Miami, Florida33130, Mr. Samuel Warner, 119 S. 1St.,Pulaski, Tennessee, and robert Boston,2100 One commerce Place, Nashville, Tennessee 3729. 37219.

Earlene Polyak

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 91-8112 CIV-ZLOCH

FILED APR 24 1992

EARLENE POLYAK
PLAINTIFF

FINAL ORDER OF DISMISSAL

WILLIAM BOSTON AND
BOSTON BATES & HOLT
_____/

This matter is before the court upon the Court upon Motion to Dismiss filed by William Boston,Boston Bates & Holt, Frank hulen Wilma Lesnansky, Robert Boston, Waller lansden Dortch & Davis andJim Hamilton and Chancery and Circuit Courts;and upon the Motion to Dismiss pursuant to12(bOFRCIVPO DE 30(DE 4),filed by the DefendantsThomas Stack, and Henry Henry & Stack P. C., a professional coropration,(DE 5)upon the Federal Defendants' Motion to dismiss(DE 5) filed by by Defendants, Jeff Beecham and Joseph Brown;and upon Federal Defendants'Motion to Dismiss Amended Complaint and memorandum of law in support thereof9DE 45). In ruling upon these matters,this Court has considered the entire Court file and is otheerwise fully advised of

in the premises.

The Court notes that the plaintiff filed the Complaint and jury Trial Demand(DE 1) herein on March 20, 1991, naming as Defendants; William Boston,Boston Bates & Holt,Robert Boston,Waller Lansden Dortch & Davis,Frank hulen, Wilma Lesnansky, Jim Hamilton, the Chancery court Courts and Circuit Courts of Lawrence County, Mr. Jeff Beecham,The Honorable joe Brown,Buford Evans & Sons,Thomas Stack, and henry henry & STack. These parties have since filed the above Motions to Dismiss.

Further, the Court notes that judge paine United States district Judge,Southern District of florida, has previously entered an order of Dismissal in the action nearly identical ro the present case.Earlene Polyak v United States District Court, Middle District court of Tennessee, No. No.89-8160 CIV-PAINE.To the extent that Judge paine's case is identical to this Court's case dismissal is proper under the doctrine of res judicata.

Judge Paine dismissed the previous case because the Court lacked personal jurisdiction over the Defendants, and venue was deemed improper under 28 U.S.C. 1391(b) and (e).The Eleventh Circuit upheld the holding in Earlene Polyak v United States district Court of Middle District of Tennessee,No. 5305. This Court finds that the present case should be dismissed for the same reasons;because the Court lacks personal jurisdiction over rhe Defendants, and venue is improper under 28 u.S.C. 1391(b) and (e).

The court notes that the Plaintiff has filed a purported Amended Complaint and Jury Trial Demand (DE 16)which is as unitelligible as previous complaint, and which lists several persons under the category parties added.Those persons are:Bobby tidwell,the Honorable Richard Thornburgh, Mr.Edward Madigan,the honorable Charles Brunson,Mr. Jeff Hudson,the Honorable Dexter W. Lehtinen,Ms. Karin Wherry and the Lawrence County Advocate.The Federal Defendants

have moved to dismiss(DE45) this so-called Amended Complaint on several grounds. The Court will grante dismissal as to all of these Defendants in that there are no allegations asserted against any of them.Accordingly, the Plaintiff has failed to state a claim aa to any of the added parties upon which relief can be granted, and dismissal is warranted under Rule 12(b0.Further as to each Defendat,there are no facts alleging that this Court has jurisdiction and there are no facts alleging venue is proper.The Court further dismisses this action as to the Defendants on the same grounds cited above in dismissing this action as to the Defendants in the initial Complaint:this Court lacks jurisdiction,and venue is improper.

Accordingly,after consideration,it is

Ordered and Adjudicated as follows:

1. the Motion to dismiss(DE 3) filed by William Boston,Boston Bates & holt,Frank Hulen, William (sic Wilma) Lesnansky,Robert Boston, Waller lansden Dortch & Davis,and Jim Hamilton and Chancery and Circuit Courts,be and the same

is hereby granted for the reasons stated herein;

2. The Motion to dismiss pursuant to 12(b) FRCP(DE 4),filed by the Defendants,Thomas J. Stack and Henry Henry & Stack,P.C. a Tennessee professional corporation,be and the same is hereby granted for the reasons stated herein.

3. The Federal Defendants Motion to Dismiss (DE 5)filed by Defendants, Jeff Beecham and Joseph Brown,be andthe same is hereby granted for the reasons stated herein.

4.The Federal Defendants Motion to Dismiss Amended Complaint (DE 45)be and the same is hereby granted for the reasons stated herein;

5.The above styled cause be and the same is hereby dismissed.

Done and Ordered in the chambers at Fort Lauderdale,Broward County, florida,this 24th day of April 1992.

Signed William J. Zloch
United States District Judge

cc:Earlene Polyak
Robert E.Boston
Samuel B. Garner
Jay G. Colman AUSA

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 91-8112 CIV-ZLOCH

FILED JAN 9 1992

EARLENE POLYAK
Plaintiff

v

WILLIAM BOSTON et al.,

This matter comes before the Court upon Federal Defendant's Third Motion for Enlatgement of time, bearing the file stamp of the Clerk December 26, 1991. This court has carefully reviewed the merits of said motion and after due consideration, it is

ORDERED AND ADJUDICATED that the Federal Defendant's Third Motion for enlargement of time be and hereby DENIED.

Done and ordered in chambers Fort lauderdale, Broward county 9th day of January 1992.

Signed William J Zloch
U.S. District Judge

cc: Jay G. kolman
Earlene Polyak

APPENDIX C

CIRCUIT COURT OF LAWRENCE COUNTY, TENNESSEE

FRANK HULEN AND
WILMA LESNANSKY

FILED APRIL 19, 1983

Plaintiff

No. 1974

v

EARLENE POLYAK

JUDGMENT

Thiscause came on to be heard on this the 19th day of December 1983, before the Honorable Jim T. Hamilton, Judge, upon the motion this day filed by the Defendant, personaly on her behalf, state and argument of the Defendant, from all which the Court finds there to be no merit, and said motion is here and now overruled.

This 19th day of December, 1983.

Signed Jim T. Hamilton

The under certifies that a true copy of this pleading addressed to said counsel at his pffice.

Signed Charles Holt, Boston Bates & Holt.

UNITED STATES COURT OF APPEALS
ELEVENTH CIRCUIT
36 Foryth Street
Atlanta, Georgia, 30303

April 18, 1991

T. G. Cleotis, Clerk
United States District Court
701 Clematis Street
West palm Beach florida 33401

Re;90-5030 Earlene polyak v William Boston et al.,(D.C. No. 89-8414 CIV-PAINE

Dear mr. Celetois;

Enclosed is a certified copy of an order granting reconsideration of May 15,1990 order dismissing appeal.The appeal is here by reinstated.Also enclosed is a copy of Appellant's Application for Permission to Appeal Closing Case and denial of Oral Argument which should be construed as a timely notice of appeal.

Please forward the certificate of Readiness to this office pursuant to Fed.R.App.P.11(c) We understand that the record is complete for purpose of appeal.

please acknowledge receipt on enclosed copy of this letter.

Sincerely,
Miguel J Cortez
Signed by
Denza Bankhead

cc: Ms. Earlene Polyak
Mr. Robert boston

UNITED STATES COURT OF APPEALS
SOUTHERN DISTRICT OF FLORIDA

No. 90-5030

EARLENE POLYAK
Plaintiff-Appellant

v

FILED APR 18 1991

WILLIAM BOSTON AND
BOSTON BATES & HOLT

Appeal from the United States District Court
for the Southern District of florida

Before KRAVITCH,KATCHETY and COX,Circuit Judges

Appellant's petition for Rehearing and Grievance to Recall Case for Grievance to Denial pf Due process construed as motions for reconsideration of this Court's May 15,1990 order dismissing this appeal for lack of jurisdiction as untimely filed are GRANTED.Appellanr's Application for Permission to Appeal closing of case and Denial of oral Argument,dated November 3, 1989, may be construed as a timely notice of appeal See United States v Rogers788 F 2d 1472 911th Cir) 1986). This appeal may proceed.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 89-8414 Civ-Paine

FILED Oct 6 1989

EARLENE POLYAK
PLAINTIFF

V

WILLIAM BOSTON AND
BOSTON BATES & HOLT

ORDER DENYING OBJECTION AND
REQUEST FOR ORAL ARGUMENT

This couas is before the Court on Plaintiff's Objection to order to Close Case and Motion for oral Argument 9DE 40.The court having considered this motion and being fully advised in the premises , it is

ordered and adjudicated that the motion is hereby denied. Done and ordered at West palm Beach, florida on the 24th day of October 1989.

Signed James C. Paine
UNIRTED STATES DISTRICT JUDGE

cc; Earlene Polyak
Robert Boston

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case no. 89-8414 Civ-Roettger

ORDER OF TRANSFER

FILED OCT 4 1989

EARLENE POLYAK
Plaintiff

v

WILLIAM BOSTON AND
BOSTON BATES & HOLT/

GOOD CAUSE appearing therefore pursuant to lacal rule (9c) and subject to consent hereinbelow, it is

ORDERED AND ADJUDICATED that the above numberec cause be and same is hereby transfered to the calended of Judge C Paine for all further proceedings.

Done and ordered in the chambers at Fort lauderdale,Florida this 27 day of September 1989.

Signed Norman c Rottger
UNITED STATES DISTRICT JUDGE

After reviewing the Court file in the above numbered cause,the undersigned hereby accept the transfer of said case.Therefore it is

ordered and Adjudicated that all pleadings heinafter shall bear the following case No. 89-8414 CIV-PAINE, therby indicating the judge to whom all pleadings should be routed or otherwise brought to attention.

The foregoing transfer is herewith accepted this 3rd day of October, 1989

Signed James C. Paine

cc; Judge norman C Roettger Jr

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 89-8414 CIV-PAINE

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE

CASE NO. 1:86-0036

FILED OCT 4 1989

EARLENE POLYAK
Plaintiff

v

WILLIAM BOSTON AND
BOSTON BATES & holt

ORDER DENYING TRANSFER

This cause comes before the Court upon Plaintiff's pleaading entitled "Transfer of Case" While the case has apparently been filed in the Southern District of florida as a seatate case a careful review of the pleading shows that the case 89-8414 Civ-Paint only consists of a motion to transfer case no. 1;86-0036 from the Middle District of Tennessee.

Pursuant to 28 U.S.C. Section 1404(a) in the interest of justice a district court may transfer any civil action to any other district

or division where it might have been brought. However, a discretionary transfer of venue will not be granted absent a clear cut and convincing showing that the balance of convience weights strongly in favor of transferee Court,See Star Lines ltd. v Puerto Rico Marine shipping Authority,442 F. Supp.1201 (D.C. N.Y. 1978).In the present motion Plaintiff has not delineated any equitable reason for transfer and, she has failed to carry the burden of showing that action should for convience and in the interest of justice, be transferred to the Southern District of Florida.See Foes v Kispke v kleopks, 95 F.R.D. 521(D.C. Pa. 1982).Therefore it is

ordered and adjudicated that the Clerk of the Court is instructed to close N. 89-8414 CIV-PAINE.

Done and ordered at West palm Beach,Florida 4th dayof October, 1989.

Signed James 1. Paine
United STATEs District Judge

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 89-8414 CIV -PAINE

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE

Case No. 1:86-0036

FILED NOV 20, 1989

EARLENE POLYAK

Plaintiff

v

WILLIAM BOSTON AND
BOSTON BATES & HOLT

ORDER INSTRUCTING PLAINTIFF
TO CEASE FILING IN THIS
CLOSED CASE

This cause comes before the Court upon Plaintiff's motion to Stay and Confirming of Sale(sic Restraining Order against Sale)(DE 60.

on october 26, 1989, this court denied the transfer of this case from the middle District of Tennessee.By that same order, the Clerk of the Court was instructed to close case.

Quite simply; Case number 89-8414 Civ-Paine is closed.The Plaintiff is instructed that there is to be no further filing in this closed case.

Therefore it is

ordered and adjudicated that Case number 89-8414 Civ-Paine is closed and the Court will not entertain any additional filing in this matter.

Done and ordered at West palm Beach, Florida,this 15th day of November, 1989.

Signed james C. Paine
UNITED STATES DISTRICT JUDGE

CC: Earlene polyak
Robert Boston

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 89-8160CIV-PAINE

EARLENE POLYAK
Plaintiff

V

UNITED STATES DISTRICT COURT,
MIDDLE DISTRICT OF TENNESSEE /

ORDER DENYING PETITION FOR REHEARING

This matter comes before the Court upon the Plaintiff's Petition for Rehearing (DE 101).

The Plaintiff in this actionhas attempted to sue a state judge and court clerks,;awyers,a real estate agent , a newspaper and six quasi-judicial officers;(1) Clerk of theCourt, Middle District of Tennessee;(2) Clerk of the Court U. S. Court of Appeals for the Sixth Circuit Cincinnati, Ohio,(3) Two Deputy clerks of the Court U.S. Court of Appeals for the sixth circuit in Cincinnati, Ohio;, and (4) Two Clerks of the Court of the Court, U.S. Supreme Court. Additionally, the Plaintiff has added an Assistant U.S. Attorney for the Middle District of Tennessee and Senior Staff Attorney of the U.S. Court of Appeals for the

Seixth Circuit. Finally, in her petition for rehearing,the Plaintiffs requests leave to add additional parties.

In December, after reviewing the file in this matter,the court determined that it did not have personal jurisdiction over the Defendants in this case.Additionally the court found that the Southern District of florida is not proper venue for this cause of action pursuant to 28 U.S.C. Section 1391(e).

Accordingly, the dourt dismissed the action and instructed the plaintiff that further filings with this court regarding this action would be improper.It is hereby

Ordered and Adjudicated that the plaintiff's Petition for Rehearing (DE 101) is denied. The plaintiff is again instructed that further filing in this case is improper.

Done and Ordered at West Palm Beach, Florida, this 24th day of march 1990.

Signed James C Paine
United States District Judge

cc:Karen Wherry Esq.
Robert E. Boston
Earlene Polyak

FILED MAR 02 1989

February 22, 1989

TO WHOM IT MAY CONCERN:

RE: EARLENE POLYAK,
4063 Hood road
Palm Beach Gardens
Florida 33410

Please be advised that the above named individual is under my care currently for angina and a persistent inflenzal type illness. I feel it would be determintal to her condition to travel to Tennessee in March. If her appearance could be re-schudled in late april it would be most appriciated.

Sincerely,

Signed Jeffery Goodman D.O.

palm Beach Gardens medical Center
Burns Road , Palm Beach Gardens, Florida
33410
POLYAK, EARLENE

DISCHARGE SUMMARY:
Page 2

DISCHARGE MEDICATIONS

Procardia 10 MGS PO T.I.D
Nitro-Bid 9 MGS PO T.I.D
Aspirin 1 PO O D
Lasix 40 MGS PO O.D
Persantine 25 MGS PO T.I.D
Premarin 2.5 MGS PO O.D.

The patient is instructed to continue only mild physicial activity.She will continue low colestrol,low sodiun diet. She will come back in one for office visit in one week.She is instructed to call immediately if she has reoccurance of chest pains.

Signed Edgar Abovich M.D.

DD:10-2-89
DT:10-5-89